

REMARKS

In the last Office Action, the Examiner rejected claims 1-21 and 24-36 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,357,755 to Gillingham et al. and rejected claims 1-21 and 24-36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,572,682 to Peter et al.

By this amendment, Applicants have amended claims 1, 17, and 24 and cancelled claims 4, 5, 18, 27, and 28 without prejudice or disclaimer of the subject matter thereof. No new matter has been added by this reply.

Applicants respectfully traverse the 35 U.S.C. § 102(b) rejection with respect to unamended claims 15 and 16 as being anticipated by Gillingham et al. for at least the reason that Gillingham et al. fails to disclose every claim element. For example, independent claim 15, from which claim 16 depends, recites a combination including, among other things, selectively applying electrical current to at least one of a plurality of filter sections of the at least one filter to separately regenerate the at least one filter section. In contrast, Gillingham et al. describes a trap apparatus that ignites combustion air within a filter chamber to regenerate the trap. However, trap regeneration by combusting flammable air, as described in Gillingham et al., is not the same as selective filter regeneration by selectively applying electrical current, as recited in Applicants' claim 15. Thus, Gillingham et al. fails to disclose, at least, selectively applying electrical current to at least one of a plurality of filter sections. Moreover, the Examiner fails address this feature of independent claim 15 in the Office Action.

Because Gillingham et al. fails to disclose every feature of claim 15, or dependent claim 16, the 35 U.S.C. § 102(b) rejection with respect to these claims is improper and should be withdrawn.

Applicants respectfully traverse the 35 U.S.C. § 102(b) rejection with respect to claims 1-14, 17-21, and 24-36 as being anticipated by Gillingham et al. for at least the reason that Gillingham et al. fails to disclose every claim element. For example, independent claims 1, 17, and 24, and dependent claims 2-14, 18-21, and 25-36, recite a combination of elements including, among other things, a plurality of filter sections wherein each of the plurality of filter sections includes an electrically conductive wire mesh medium configured to selectively receive electrical current to separately regenerate the separate filter section. In contrast, Gillingham et al. describes a trap apparatus that ignites combustion air within a filter chamber to regenerate the trap. For at least the reasons noted above, Gillingham et al. fails to disclose each and every recitation of these claims. Therefore, the 35 U.S.C. § 102(b) rejection with respect to claims 1-14, 17-21, and 24-36 is improper and should be withdrawn.

Moreover, Applicants respectfully traverse the 35 U.S.C. § 102(e) rejection with respect to claims 15 and 16 as being anticipated by Peter et al. for at least the reason that Peter et al. fails to disclose every claim element. For example, these claims recite, among other things, flowing exhaust through a plurality of inlets, each inlet directing a portion of the exhaust flow to an associated filter division, each filter division being fluidly isolated from at least one other filter division and having at least one filter. In contrast, Peter et al. describes a self-cleaning filter system that includes a filter cartridge

system comprising a filter support plate and filter media members within a main sleeve (see Peter et al. column 6, lines 47-52). However, Peter et al. fails to disclose filter media members being fluidly isolated from the at least one other filter media member.

In the Office Action, the Examiner alleges that bottom cap 68 described in Peter et al. “fluidly isolates one or more of the plurality of filters [(e.g., 16)] into filter divisions.” Applicants respectfully disagree. As disclosed in Peter et al., bottom cap 68 (in conjunction with top cap 66) only separates sub cartridges within a filter media 16 (see Peter et al. column 8, lines 53-59 and Fig. 5). However, Peter et al. fails to disclose bottom cap 68 fluidly isolating one or more of the plurality of filters into filter divisions, as required by Applicants’ independent claim 15 and dependent claim 16. Moreover, neither bottom cap 68 nor top cap 66 provide fluid isolation between adjacent members, as illustrated by the apertures associated with each element (see Peter et al. Fig. 7). In fact, bottom cap 68 and top cap 66, as disclosed, may actually promote fluid transmission between adjacent members. Accordingly, the rejection of independent claim 15 and dependent claim 16 under 35 U.S.C. § 102(e) is improper and should be withdrawn.

Similarly, Applicants respectfully traverse the 35 U.S.C. § 102(e) rejection with respect to claims 1-14, 17-21, and 24-36 as being anticipated by Peter et al. for at least the reason that Peter et al. fails to disclose every claim element. For example, independent claims 1, 17, and 24 each recite a combination of elements including, among other things, a plurality of dividers fluidly isolating one or more of the plurality of filters into filter divisions. In contrast, Peter et al. describes a self-cleaning filter system

that includes a filter cartridge system that includes a filter support plate and filter media members within a main sleeve (see Peter et al. column 6, lines 47-52). However, for the reasons noted above, Peter et al. fails to disclose a plurality of dividers fluidly isolating one or more of the plurality of filters into filter divisions, as required by Applicants' independent claims 1, 17, and 24.

Because Peter et al. fails to disclose every claim element of independent claims 1, 17, and 24, and any of dependent claims 2-14, 18-21 and 25-36, the rejection of these claims under 35 U.S.C. § 102(e) is improper and should be withdrawn.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. As noted above, the Examiner has failed to address every element of at least claims 15 and 16. Because not every element of the claims has been treated on the merits, Applicants submit that the finality of the Office Action mailed November 30, 2005 is premature. Applicants therefore respectfully request that the Examiner withdraw the finality of the November 30 Office Action and enter this Amendment into the application.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-21 and 24-36 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 17, and 24 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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